

## **Application for the Rhode Island Office of Energy Resources (RIOER) Energy Services Company (ESCO) List**

The RIOER requests submittals from qualified firms and organizations in the business of providing energy performance contracting services. Successful firms will be placed on the RIOER list of ESCO contractors. This list will be available to any business, organization, local government, school district or other interested parties. The RIOER is seeking to encourage and support the use of ESCO contracting throughout the state.

Listed ESCOs will be required to renew their qualifications annually if they wish to remain on the list.

### **INSTRUCTIONS AND NOTIFICATIONS TO APPLICANTS:**

- Applicants are advised to review all sections of this Request carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of your application.
- Alternative approaches and/or methodologies which depart from or materially alter the terms, requirements, or scope of work defined by this Request will be rejected as being nonresponsive.
- All costs associated with developing or submitting applications in response to this Request, or to provide oral or written clarification of its content, shall be borne by the offerer.
- In accordance with Title 7, Chapter 1.1 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the state until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401 222-3040).
- Applicants are advised that all materials submitted to the State of Rhode Island for consideration in response to this Request for Qualifications will be considered to be public records, as defined in Title 38 Chapter 2 of the Rhode Island General Laws, without exception, and will be released for inspection immediately upon request.
- The applicant should be aware of the State's MBE requirements, which addresses the State's goal of ten per cent (10%) participation by MBE's in all State procurements. This applies to public schools which receive assistance under the State's School Housing formula. For further information, contact the MBE Administrator, at (401) 222-6253 or visit the website <http://www.rimbe.org>
- Applicants may submit their qualifications at anytime in order to be included on the list. There is an open ended application period.

## **A. Program Description**

### **1. Services to be performed**

The RIOER believes that performance contracting is an effective method to implement cost-effective energy efficiency measures. By performance contracting, we mean reducing the energy consumed by a participant at no upfront cost to the participant. The ESCO performing the work will be compensated based on its performance, i.e. its ability to deliver on promised energy savings. The contractor provides both the energy expertise and the financing of the measures. The participants will pay the financing costs back from the cost savings achieved. By establishing a list of quality firms with experience in, and the capability to offer this service, and by creating a competitive process by which participants can receive multiple proposals, the RIOER believes this process will maximize the likelihood that energy efficiency measures will be implemented.

### **2. RIOER role**

The RIOER's role is to facilitate this process. The RIOER will:

- Identify firms qualified to perform these services
- Identify a group of participants who are good candidates for these services
- Facilitate communication between the parties
- Provide education to participants regarding performance contracting
- Assist participants in understanding and interpreting proposals received, if requested
- Provide a standard contract/agreement available for use by participants

Any and all agreements will be between the participant and the performance contracting firm. The RIOER will not be party to any agreement and the State of RI will assume no responsibility or liability associated with agreements entered into among parties, unless it is regarding a state owned facility.

### **3. Request for Qualifications**

The objective of this Request For Qualifications (RFQ) is to solicit firms to develop proposals to include on an RIOER list of ESCOs.

All qualified ESCOs are invited to submit a Statement of Qualifications, (the application) including a qualification and experience package. The RIOER's evaluation team will review and evaluate each submittal and select qualified ESCOs. The selection of the ESCOs will be based on the evaluation criteria presented in this RFQ.

### **4. General Information:**

ESCOs included on the RIOER list will be expected to provide the following services:

1. The preparation of an investment-quality comprehensive energy audit.
2. The design and specification of equipment and systems to be used in providing energy efficiency, distributed generation and water conservation services.
3. Services associated with the procurement and installation of new energy efficient and water conserving equipment.
4. Commissioning of the equipment installed.
5. Preventive and emergency maintenance and servicing of the equipment installed.
6. Staff training.
7. Written energy savings performance guarantees.
8. Working cooperatively with facility management and the participant's staff in coordinating this project.
9. Investigating and securing financial incentives and rate reductions available through government and/or utility sponsored programs, for example from re-structuring programs, and/or from entities supplying equipment, oil, gas, electricity, water, or transmission or distribution service for water, gas or electricity.
10. Annual reconciliation report and true up of energy savings.
11. Investigate the economic viability of renewables.
12. ESCO may be required to submit show of interest applications to ISO's Forward Capacity Marketing Program.
13. ESCOs will be required to disclose all costs including all costs of subcontractors, materials and equipment and its own in-house costs.
14. Provide or arrange for project financing.

Please include in your application a section which addresses your ability to provide these services in a checklist fashion plus any brief explanation that you wish to provide.

## **B. Minimum Qualifications.**

The RIOER will review each Statement of Qualifications and Experience and contact selected references to determine whether an ESCO has the necessary technical and financial resources to successfully identify and implement comprehensive energy services.

Minimum Qualification includes: (Address how you satisfy each of these requirements).

1. Minimum of five years experience of the firm providing successful energy performance contracting services;
2. Minimum of three energy performance contracting projects completed during the last five years prior to the date for which your firm is submitting under this RFQ;
3. Minimum of three energy performance contracts with adequate information provided to determine the project's success in improving energy efficiency;
4. Demonstrated ability to provide a full scope of services (energy audit, project design and development, construction management, implementation, measurement and

verification, training, savings guarantees, financing, etc.), either directly or through identified partners;

5. Demonstrated ability to implement comprehensive energy efficiency projects (lighting, HVAC, controls, etc.) on guaranteed savings, energy performance contracting basis;

6. Demonstrated financial strength; and (describe your revenues and profitability over the past 5 years).

7. Must have an established presence in the regional marketplace.

### **C. Evaluation Criteria**

Qualifications will be evaluated and scored on the basis of the following criteria:

(The majority of the review committee members must score your application at 80 points or higher in order to be placed on the list.)

#### **1. Project Experience Rating (Maximum [25] points)**

Points will be awarded based on demonstrated experience with similar projects as reported in this RFQ response and from project references. Experience with similar projects will be understood to include development of energy performance contracts to furnish energy services.

#### **2. Technical Capability Rating (Maximum [25] points)**

Points will be awarded based on your response to Section E.c.

#### **3. Staff Rating (Maximum [25] points)**

Points will be awarded based on documented technical and project administration skills and experience of the proposed project team.

#### **4. Financial Capability Rating (Maximum [25] points)**

Points will be awarded based on the demonstrated financial strength of the firm, which will include the firm's bonding/Letter of Credit dollar amount and expiration date, total performance bonding capacity, and the most recent year-ending financial statement.

### **D. RFQ Procedures**

#### **Pre-Proposal Questions and Submission**

Questions concerning this solicitation may be e-mailed to Tim Howe at the Office of Energy Resources, [TimH@gw.doa.state.ri.us](mailto:TimH@gw.doa.state.ri.us) . Please reference the “RIOER ESCO List” on all correspondence.

Responses (**an original plus three (3) copies**) should be mailed or hand-delivered in a sealed envelope marked “**RIOER ESCO List**”

<b>By Courier:</b>	<b>By Mail:</b>
<b>R.I. Office of Energy Resources</b>	<b>R.I. Office of Energy Resources</b>
<b>R.I. Department of Administration</b>	<b>R.I. Department of Administration</b>
<b>One Capitol Hill</b>	<b>One Capitol Hill</b>
<b>Providence, RI 02908-5855</b>	<b>Providence, RI 02908-5855</b>

In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in electronic format. Microsoft Word / Excel Or PDF format is preferable. Only 1 electronic copy is requested. Place the disk or CDROM in the proposal marked "original"

## **E. Qualification Submittal - Format and Contents**

Qualifications must be complete and submitted in the format outlined in this section. The RIOER reserves the right to eliminate from further consideration any applications deemed to be substantially or materially non-responsive to the requests for information contained herein. **The submittal must not exceed 10 pages, excluding the financial reports.**

### **a. Company Information**

The Qualifications must include the following elements in response to this RFQ:

1. Name and address of firm:
2. Telephone No., Fax No., E-Mail Address:
3. Names and titles of two people authorized to represent the firm:
4. Federal Employer Identification Number:
5. Year firm was established:
6. Name and address of parent company (if applicable):
7. Indicate type of firm:
  - Partnership
  - Corporation; Indicate State incorporated in:
  - Sole Proprietor
  - Branch Office of:
  - Joint Venture (List venture partners)
  - Other (Explain)
8. Indicate the number of years in business as an ESCO. Indicate all other names for your firm and the length of time your firm had that name.
9. Provide a summary of your firm's experience in providing energy performance contracting services directly to customers, particularly commercial and institutional customers.
10. Indicate the size of projects (expressed as a range in dollars) that your firm will consider.
11. If your firm is not Rhode Island based, discuss the mechanism that will guarantee the local support services necessary for fulfilling an energy performance contract.
12. Does your firm have any affiliation with a product, manufacturer, or utility? If yes, please describe the relationship.
13. Is your firm registered to conduct business in the State of Rhode Island?
14. Describe how you would meet MBE and WBE requirements of the State (minimum 10% of contract value)

## **b. Experience**

1. Describe three recent energy performance contracting projects that best exemplify the range of technical and financial services provided by your firm. One of these projects must have a contract signed at least five years prior to the date of this application submittal. Each project description (not to exceed 2 pages) must include all of the following. Projects listed in this section must have at least one year's worth of measurement and verification completed. For each project, provide information on the following items (all fields are required):

- (a) Project and location.
- (b) Client contact regarding the project, his or her position, address, email address, and telephone number. Permission to contact the references provided by the firm will be presumed by RIOER.
- (c) Briefly describe the facility including function, number of buildings, and size in square feet.
- (d) Project Costs:
  - (1) Total contract amount;
  - (2) Capital project amount.
- (e) Type of financing and indicate whether arranged by your firm or by the client.
- (f) Energy Performance Contract Information
  - (1) Type and term of contract,
  - (2) guaranteed savings or shared savings,
  - (3) fixed price or fixed fee, and
  - (4) other significant contract terms.
  - (5) Starting and ending dates.
- (g) Financial resources contributed by third parties, such as public benefit funds, utility rebates or state building aid.
- (h) Project Schedule - Was the project completed on original schedule. If not, explain.
- (i) Energy Usage Pre-Implementation:
  - (1) Annual energy use before project implementation;
  - (2) Annual energy cost before project implementation.
- (j) Projected Energy Savings:
  - (1) Projected annual energy savings and demand reduction;
  - (2) Projected annual energy cost savings.
- (k) Actual Energy Savings
  - (1) Actual annual energy savings and demand reduction achieved;
  - (2) Actual annual energy cost savings.
- (l) Describe dollar value of written energy performance guarantees.
- (m) Describe the energy efficiency and demand reduction measures that were installed, identify the prime contractors or subcontractors and any other pertinent information relating to the project.
- (n) Identify any members of the proposed project team involved with the sample projects.

2. Provide all information required under E.b.1. (Experience) for projects done in Rhode Island during the past five years that are not already included in your response to E.b.1.

### **c. Technical Capabilities**

1. Briefly describe your approach to the following issues and describe related experience:
  - (a) Measurement and verification protocols used to verify energy savings;
  - (b) Specifying and procuring the higher energy efficiency models of equipment;
  - (c) Project management;
  - (d) Maintenance of installed equipment; and
  - (e) Facility staff training.
2. Provide a copy of an annual energy savings measurement and verification report submitted for one of the sample projects listed in Section B showing the type of verification services provided for this project with the customer.

### **d. Staffing**

Include the name, address and telephone number of the person to who questions regarding the proposal can be addressed.

In addition, this section should include a description of the individual experience and qualifications of the proposed project staff.

1. List all key personnel in your firm that you are intending to use on any potential projects under this RFQ.

Information should include:

  - Experience in energy management and energy efficiency services,
  - Education,
  - Number of years with this firm, and
  - Professional licenses held (specify state of origin).
2. List all professional and skilled trades, which your firm customarily performs with your own employees. Separately, list all professional and skilled trades, which your firm customarily subcontracts.
3. What percentage of work (based on project costs) do you customarily perform with your own employees?
4. List any expected subcontractors for design and other technical services. Include contact information and previous history working with these subcontractors.

### **e. Financial Capability**

1. For each year in the last five years, identify the largest capital investment for energy performance contract in which your firm was involved. Include name of customer, contact person and telephone number.
2. Construction Bonding/Letter of Credit (LOC)
  - (a) Indicate firm's bonding/LOC dollar and time limit per project;
  - (b) Indicate firm's total performance bonding capacity;
  - (c) Name of the present bonding agent or bank with contact person and telephone number;

- (d) Has a bond/LOC been revoked or used against your present firm within the past five years? If yes, supply particulars, including project name and owner's name.
3. Financial Statement:
- (a) Please provide a copy of the most recent financial statement (including balance sheet and income statements), audited by a certified public accountant, and dated within twelve months of filing. Provide a copy of the independent accountant's report, including name, address and telephone number;
  - (b) If the financial statements are not the sole source of credit support for projects, please supply pertinent additional information.
4. List all legal or administrative proceedings pending, and those concluded adverse to your firm within the last five years, which relate to procurement or performance of any public or private construction contracts.
5. State whether your firm (or predecessors, if any) or any principal of the firm has been insolvent or declared bankrupt within the past 5 years.
6. Indicate whether your firm or any principal of the firm has been debarred from doing business with the federal government, the State of Rhode Island or any other state.
7. Is your firm willing to implement a project on the basis of either a shared savings agreement or a guaranteed savings agreement? Please describe any other compensation approaches your firm uses.
8. Indicate the smallest and largest dollar values for a project your firm would consider for a shared savings and a guaranteed savings contract with a Rhode Island participant facility.
9. Specify the longest individual and the longest combined simple payback project, which your firm would consider implementing under a shared savings, and guaranteed savings approach.
10. List any lawsuits or bankruptcy filings that you, your parent or subsidiary have been involved with over the past five years. Include a description of the plaintiffs claim, amount and status.

#### **f. Annual Renewal Requirements**

1. In order to maintain your listing status please be advised of the following annual requirements to be reported to the RI RIOER on/or before April 15<sup>th</sup> of each year.
- (a) Provide an audited financial report for the previous fiscal year;
  - (b) List any new performance contracts entered into during the past year with basic information and customer contact person to verify the status of the project;
  - (c) List any lawsuits or bankruptcy filings that you, your parent or subsidiaries have been involved in during the past year. Include a description of the plaintiffs claim, amount and status.
2. Failure to provide this renewal information by April 15<sup>th</sup> of each year will automatically eliminate your firm from the List until such time as the information is submitted and reviewed by RIOER.



### **g. Reviews, Approval, Appeal**

1. Review of applications and renewal information will be done by a panel of RIOER staff. Applications and renewals will be done on a first come first served basis. Firms may be asked to come in and present their application to the review panel. Incomplete applications will be returned.
2. Firms will be notified in writing by RIOER when they are approved or if they have been rejected with the reasons for the rejection.
3. Firms who are rejected can appeal by a written reply to RIOER with a response as to each reason for the rejection stated by RIOER. Rejected firms may also reapply one year after their rejection letter if they have taken action to meet the requirements during the prior year. Appeal letters should be sent to:

Tim Howe  
RI Office of Energy Resources  
One Capitol Hill,  
Providence, RI 02908